

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

RIPPLE LABS, INC.,
BRADLEY GARLINGHOUSE,
and CHRISTIAN A. LARSEN,

Defendants.

Case No. 1:20-CV-10832 (AT)

**DECLARATION OF MARTIN FLUMENBAUM IN SUPPORT
OF DEFENDANT CHRISTIAN A. LARSEN'S MOTION
TO DISMISS THE FIRST AMENDED COMPLAINT**

I, Martin Flumenbaum, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I am senior counsel of the law firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP, counsel to Defendant Christian A. Larsen. I submit this declaration in support of Defendant Christian A. Larsen's Motion to Dismiss.

2. Attached as Exhibit A is a true and correct copy of a legal memorandum dated February 8, 2012 bearing beginning Bates SEC-LIT-EPROD-000519216. This document is referenced at, *inter alia*, paragraphs 52, 53, 54, 56, 57, 59, 313, 395, 396, 397, and 414 of the First Amended Complaint (ECF No. 46).

3. Attached as Exhibit B is a true and correct copy of a legal memorandum dated October 19, 2012 bearing beginning Bates SEC-LIT-EPROD-000330432. This

document is referenced at, *inter alia*, paragraphs 52 to 57, 59, 313, 395, 396, 397, and 414 of the First Amended Complaint (ECF No. 46).

4. Attached as Exhibit C is a true and correct copy of a May 2015 settlement agreement entered into by Ripple Labs Inc. and the United States Attorney's Office for the Northern District of California and its attachments. This settlement is referenced, *inter alia*, at paragraphs 379 and 380 of the First Amended Complaint (ECF No. 46).

5. Attached as Exhibit D is a true and correct copy of a Department of Treasury Financial Crimes Enforcement Network Assessment of Civil Monetary Penalty against Ripple Labs Inc. and XRP II, LLC, dated May 5, 2015, and its attachments. This settlement is referenced, *inter alia*, at paragraphs 379 and 380 of the First Amended Complaint (ECF No. 46).

I declare under penalty of perjury that the foregoing is true and correct.

Dated: April 12, 2021

By: /s/ Martin Flumenbaum
Martin Flumenbaum